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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/683,648	03/22/2002	Yi-Chung Chan	VIAP0013USA	6287

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EXAMINER	
PATEL, GAUTAM	
ART UNIT	PAPER NUMBER
2655	

DATE MAILED: 09/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/683,648

Applicant(s)

CHAN, YI-CHUNG

Examiner

Gautam R. Patel

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>8-11-05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-12 are pending for the examination.

RCE STATUS

2. The request filed on 8-12-05 for Request for Continued Examination (RCE) under 37 CFR 1.114 based on parent Application is acceptable and a RCE has been established. An action on the RCE follows.

Claim Rejections - 35 U.S.C. § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-11 are rejected under 35 U.S.C. § 102(b) as being anticipated by Tateishi et al., US. patent 5.025,434 (hereafter Tateishi).

As to claim 1, Tateishi discloses the invention as claimed [see Figs. 3 & 9] including producing a corrected tracking error signal and controlling the driving device, comprising steps of:

producing a corrected tracking error signal [fig. 3D, 3E and 9D], according to the tracking error signal [fig. 3A], when the pick-up device is located at a target track related to the off-track period, the corrected tracking error signal being modified from a reference point onward, to mirror the subsequent half cycle of the tracking error signal [col. 3, line 59 to col. 4, line 60]; and

controlling the driving device to enable the pick-up device to lock at the target track, according to the corrected tracking error signal [col. 3, line 59 to col. 4, line 60].

4. The aforementioned claim 2, recites the following steps, inter alia, disclosed in Tateishi:
a reference value of the tracking error signal is obtained when the pick-up device is located at a common border between the on-track period and the off-track period, and the mirror

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signal is obtained by taking the reference signal as a reference to convert the tracking error signal [col. 3, line 59 to col. 4, line 60].

5. The aforementioned claim 3, recites the following steps, inter alia, disclosed in Tateishi:
the step of producing the corrected tracking error signal, when the pick-up device is located at the off-track period related to the target track, the corrected tracking error signal is approximately proportional to a distance between the pick-up device and the target track [col. 3, line 59 to col. 4, line 60].

6. The aforementioned claim 4, recites the following steps, inter alia, disclosed in Tateishi:
when the access device is located at the on-track period of the target track, using the tracking error signal as the corrected tracking error signal [col. 14, line 6 to col. 15, line 5].

7. The aforementioned claim 5, recites the following steps, inter alia, disclosed in Tateishi:
differentiating a location of the pick-up device, according to a track cross signal [col. 14, line 6 to col. 15, line 5].

NOTE: In the above claim the Applicants are merely describing how the track cross signal works.

8. The aforementioned claim 6, recites the following steps, inter alia, disclosed in Tateishi:
the track cross signal is a Radio Frequency Zero Cross (TZC terminal handles this signal) signal [col. 4, line 64 to col. 5, line 28].

9. As to claim 7, it is an apparatus claim corresponding to the method of claim 1, and is therefore rejected for the similar reasons set forth in the rejection of claim 1, supra,

10. As to claims 8, and 10-11, they are apparatus claims corresponding to the method of claims 3 and 5-6 and are therefore rejected for the similar reasons set forth in the rejection of claims 3, and 5-6, supra,

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11. The aforementioned claim 9, recites the following steps, inter alia, disclosed in Tateishi:
when the pick-up device is located at the on-track period related to the target track, the corrected tracking error signal is the same as the tracking error signal [col. 5, line 65 to col. 6, line 20].
12. As to claim 12, it is an apparatus claim corresponding to the method of claim 1, and is therefore rejected for the similar reasons set forth in the rejection of claim 1, supra,

Contact Information

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gautam R. Patel whose telephone number is 571-272-7625. The examiner can normally be reached on Monday through Thursday from 7:30 to 6.

The appropriate fax number for the organization (Group 2650) where this application or proceeding is assigned is 703-872-9306.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Wayne Young can be reached on (571) 272-7582.

Any inquiry of a general nature or relating to the status of this application should be directed to the Electronic Business Center whose telephone number is 866-217-9197 or the USPTO contact Center telephone number is (800) PTO-9199.



**GAUTAM R. PATEL
PRIMARY EXAMINER**

Gautam R. Patel
Primary Examiner
Group Art Unit 2655

September 24, 2005